

05-17-05

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PATENTS

Attorney Docket No. A123 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James G. Barsoum et al.
Application No. : 10/618,299 Confirmation No. 6907
Filed : July 11, 2003
For : METHOD OF ENHANCING DELIVERY OF A
THERAPEUTIC NUCLEIC ACID
Group Art Unit : 1632
Examiner : Robert M. Kelly

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

"EXPRESS MAIL" mailing label number EV 619646968 US

Date of Deposit: May 16, 2005

I hereby certify that this paper/fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Mail Stop Amendment, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A handwritten signature in black ink, appearing to read "Andrew S. H.", written over a horizontal line.

- [X] Transmittal Letter (in duplicate);
- [X] Response to Office Action with Appendix A;
- [X] Limited Recognition Under 37 C.F.R. § 10.9(b); and
- [X] Postcard.



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PATENT APPLICATION

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New York, New York
May 16, 2005

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Hon. Commissioner for Patents
P.O. Box 1450
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TRANSMITTAL LETTER

Sir:

Transmitted herewith:

- ☒ Response to Office Action (with Appendix A);
- ☒ Limited Recognition Under 37 C.F.R. § 10.9(b);
- ☒ Express Mail Certification; and
- ☒ Postcard.

FEE FOR ADDITIONAL CLAIMS

- ☒ A fee for additional claims is not required.
- ☐ A fee for additional claims is required.

The additional fee has been calculated as shown

below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	46 - 46 =	0 X	\$ 50	= \$ 0.00
INDEPENDENT CLAIMS	8 - 8 =	0 X	\$200	= \$ 0.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$360	= \$ 0.00
				TOTAL <u>\$ 0.00</u>

- [] A check in the amount of \$.00 in payment of the filing fee is transmitted herewith.
- [X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 000454.0311. A duplicate copy of this transmittal letter is transmitted herewith.
- [] Please charge \$ to Deposit Account No. 06-1075, Order No. 000454.0311 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[] The following extension is applicable to the Response filed herewith; [] \$120.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$450.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$1,020.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,590.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$2,160.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a).

[] A check in the amount of [] \$120.00;
[] \$450.00; [] \$1,020.00; [] \$1,590.00;
[] \$2,160.00 in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 000454.0311. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge the [] \$120.00; [] \$450.00;
[] \$1,020.00; [] \$1,590.00; [] \$2,160.00;
extension fee to Deposit Account No. 06-1075,
Order No. 000454.0311. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Stanley D. Liang (Reg. No. 43,753)
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New York, New York
May 16, 2005

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RESPONSE TO OFFICE ACTION

Sir:

This is in reply to the April 14, 2005 Office Action, which action is a Restriction Requirement in the above-identified application. Applicants are filing this reply before the expiration of the shortened statutory period for this reply -- May 16, 2005, (May 14, 2005 being a Saturday) -- and thus no extension fee is due.

Applicants acknowledge with appreciation the Examiner's withdrawal of the previous March 9, 2005

Application No. 10/618,299
Response dated May 16, 2005
In Response to April 14, 2005 Office Action

Restriction Requirement. Applicants respectfully submit that the pending claims in this application are claims 1 and 34-54, not claims 1 and 34-53. In the Preliminary Amendment filed on July 11, 2003, a copy of which is enclosed for your reference, originally filed claim 1 was amended, claims 2-33 were canceled and claims 34-54 were added. The following listing of claims is provided for the Examiner's convenience.

The Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 9 of this paper.